REMARKS

Claims 1-3, 6-13, 19-47, 50-58, 79 and 80 are pending in this application. Claims 42 and 79 are amended. Claims 1-41 are cancelled without prejudice. Claims 87-90 are newly submitted. No new matter has been added as the amendments have support in the specification as originally filed. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claims 1-3, 6-13, 19-47, 52-58, 79, and 80 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal et al. (US 6,519,239) in view of Jang et al. (US 2005/0025082) and further in view of 3GPP (3GPP2 Upper Layer (Layer 3) Signaling for cdma2000 Spread Spectrum Systems). Claims 50 and 51 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and 3GPP and further in view of Border (US 2002/0016851). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of 3GPP

Claims 1-3, 6-13, 19-47, 52-58, 79, and 80 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of 3GPP. Claims 1-3, 6-13, and 19-41 have been cancelled without prejudice, thus rendering the rejection of claims 1-3, 6-13, and19-41 moot.

As amended, claim 42 recites generating a public long code mask, using the received flow identifier and a predetermined portion of a channel identifier for identifying a corresponding forward broadcast supplemental channel by allocating a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks to a most significant bit portion of the public long code mask and arranging the channel identifier and the flow identifier from a least significant bit to a more significant bit, respectively, wherein the channel identifier and the flow identifier are arranged in a portion of the public long code mask different from where the specific header is allocated.

With respect to claim 42, page 17 of the Office Action states that Panchal does not expressly disclose that "the identifier is a flow identifier," and that "the long code mask is a public long code mask." Pages 17-18 of the Office Actions states that paragraphs 71 and 72 of Jang teach "an identifier is a flow identifier used to identify a broadcast/multicast service, and wherein a long code mask is a public long code mask used to provide a broadcast/multicast service." Applicant provides the following remarks.

Paragraph 71 of Jang discloses that "the program is identified using the flow ID. The base station receives the origination message and processes the origination message. As a result of receiving the origination message the base station is aware that the mobile wants to move to the traffic channel and the specific program selected by the mobile. The base station assigns a traffic channel to the mobile station. In one embodiment, when the base station assigns the traffic channel to the mobile the base station also communicates the traffic information related to BCMCS to the mobile."

A review of the passage above reveals that Jang arguably discloses an identifier is a flow identifier. However, Jang is silent on the location of the flow ID. More specifically, claim 1 recites that "the channel identifier and the flow identifier are arranged in a portion of the public long code mask different from where the specific header is allocated." Accordingly, since Jang is silent on the location of the flow ID, Applicant submits that Jang cannot teach or suggest that "the channel identifier and the flow identifier are arranged in a portion of the public long code mask different from where the specific header is allocated," as recited in claim 42.

Furthermore, Applicant has reviewed Panchal and 3GPP and has found no discussion on the location of the channel identifier and flow identifier with respect to the location of the specific header. Therefore, Applicant submits that Panchal and 3GPP are silent on the location of the flow ID and channel identifier and therefore cannot teach or suggest "the channel identifier and the flow identifier are arranged in a portion of the public long code mask different from where the specific header is allocated," as recited in claim 42.

Applicant has demonstrated above that Jang, Panchal, and 3GPP fail to teach or suggest all of the elements recited in claim 42, therefore, claim 42 should be allowable over the cited

prior art references. Additionally, claim 79 recites elements similar to claim 42, and should therefore be allowable for reasons similar to those presented with respect to claim 42. Moreover, claims 43-47, 52-58, and 80 should be allowable at least by virtue of their respective dependence on allowable claims 42 and 79.

Finally, although not formally rejected, claims 87-90 should be allowable at least by virtue of their dependence on allowable independent claim 79.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and 3GPP and further in view of Border

Claims 50 and 51 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and 3GPP and further in view of Border.

Applicant has demonstrated above that Panchal, Jang, and 3GPP do not teach or suggest all of the elements recited in independent claim 42. Additionally, Applicant submits that Border does not cure the stated deficiencies of Panchal, Jang, and 3GPP, therefore, independent claim 42 should still be allowable over the cited combination of references. Additionally, claims 50 and 51 should be allowable at least by virtue of their dependence on allowable independent claim 42.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned agent at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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